

66476/024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) PATENT  
Jong Woon PARK et al. )  
Serial No. )  
Filed: )

Ex-Vessel Core Melt Retention Device  
Preventing Molten Core Concrete Interaction

\* \* \* \* \*

DECLARATION OF T. G. THEOFANOUS  
UNDER 37 C.F.R. 1.68

I, T. G. Theofanous, hereby declare and state that:

I am a joint inventor of the invention set forth in the above-identified application;

I am a citizen of the United States of America, residing at 857 Sea Ranch Drive,  
Santa Barbara, California 93109;

The invention as set forth in the above-identified application was made by me as  
a co-inventor in the United States;

I submitted a draft of my report entitled "An Ex-Vessel Coolability Concept For  
KNGR" to Dr. Jong Woon Park of KEPRI in South Korea by letter dated March 1, 1999  
(copy enclosed) *indicating the patentable value of it.*  
~~to determine if there was any interest in supporting such work.~~

Dr. Park wrote back to me on March 2, 1999 (copy enclosed) and on March 13, 1999  
(copy enclosed) Dr. Park e-mailed me several questions on the paper. On July 26,

*11/24/00*

*11/24/00*

1999 (copy enclosed) I received an e-mail from Dr. Park in response to mine of July 13. On February 17, 2000 I received an e-mail from Dr. Park (copy enclosed) informing me for the first time that a Korean patent application had been filed on my invention. By letter of February 17, 2000 (copy enclosed) I contacted a U.S. attorney to determine what my options were. On July 13, 2000 I wrote to Dr. Park (copy enclosed) to tell him about the "issues" raised by my U.S. attorney. He responded immediately, telling me that he understood, but that "things have gone too far." He advised me to wait and let the "Korean Patent Office submit the EVR patent application to U.S." I responded that he told me to make preparations with the U.S. patent, and that I was surprised with his position. No response was received until July 26, 2000 (copy enclosed) apologizing for being late, but not really responding to my e-mail of July 13, 2000. I received an e-mail on July 31, 2000 (copy enclosed) attaching the recently revised and corrected patent document on EVR received from his patent agency. On August 29, 2000 (copy enclosed) I got a fax from Dr. Park asking me to execute the Combined Declaration and Power of Attorney. On August 30, 2000 I sent an e-mail (copy enclosed) to Mr. Choi, a member of management of KEPRI. On October 4, 2000, I telephoned Lawrence R. Radanovic, Esq. of Dykema Gossett PLLC, and we discussed several background matters. I indicated that my U.S. attorney had advised that a retroactive foreign filing license must be obtained before filing of the application in the United States. On October 25, 2000 I sent Mr. Radanovic materials from my file relevant to this project;

After my discovery that the application had been first filed in Korea, I diligently sought the filing of an application corresponding thereto in the United States as well as a retroactive license for foreign filing, also as documented by the chronology of events set forth above;

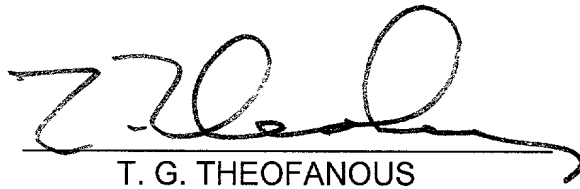
The Korean patent application was first filed through error, and without deceptive intent and without the required license under section 5.11 having first been obtained;

To the best of my knowledge and belief the invention set forth in the subject Korean application does not disclose an invention within the scope of 35 U.S.C. 181;

To the best of my knowledge and belief the subject invention was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order;

To the best of my knowledge or belief the subject invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract, or arrangement entered into with or for the benefit of United States Atomic Energy Commission or its successors; Energy Research and Development Administration or the Department of Energy.

The undersigned declares further that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, and that all statements made of his own knowledge are true and all statements made herein on information and belief are believed to be true.

  
T. G. THEOFANOUS

Date: 11/24/00